

## **REMARKS/ARGUMENTS**

Applicants appreciate the Examiner's continued thorough search and examination of the present patent application.

Applicants further note with appreciation the Examiner's indication that claims 16, 18, 26 and 28 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Accordingly, claims 16, 18, 26 and 28 have been rewritten in independent form, including all of the limitations of the base claim and intervening claim, as necessary.

Claims 1, 3, 6-8, 15, 18, 10, 22-23, 25, 29, 30 and 34 are objected to because of various informalities.

Claims 1-7, 14-15, 17, 19-25, 27, 30 and 32 are rejected under 35 U.S.C. §102(e) as being anticipated by Schuter ("Schuter," U.S. Patent No. 6,675,161). Applicants respectfully traverse this rejection.

As noted in applicants' previous responses, the present invention dramatically improves shortcomings of prior art search engines and categorization systems by enabling modifying and supplementing search categories and search attributes interactively and, to a degree automatically, by both listers and searchers.

Applicants' claim 1 is directed to an interactive system of "enhancing an ability for data to be searched[.]" More particularly, claim 1 defines "a categorization system," a "communication system" and a "cooperative facility." The categorization system "associates search terms defining categories or attributes with items to be found[.]" The communication system communicates with the categorization system and with "a store of information from which information is to be selected based on the search terms[.]" The cooperative facility is "associated" with the categorization system and that "users, including listers and searchers, use to interactively and at least partially automatically, modify or supplement the search terms initially assigned to the items to be found by the categorization system[.]" The categorization system, the communication system and the cooperative facility "are structured to store the modified or supplemented search terms."

Claim 30, as amended, is a method of searching data items in a data store, and includes functionally similar limitations. Thus, as defined in applicants' claims 1 and 30, searching of

information and data is enhanced because listers and searchers can modify or supplement the search terms associated with items to be found. The prior art does not teach or suggest this combination of features.

Applicants have carefully reviewed Suchter, as well as the Response to Arguments in the present Final Office Action and respectfully disagree with the Examiner's conclusion that Suchter teaches all of the features described in applicants' claims 1-7, 14-17, 19-27, 30, 32 and 35.

In particular, Suchter does not enable listers and searchers to interactively modify or supplement search terms that are initially assigned to items to be found by the categorization system. Instead, Suchter cites to a "owner or operator" of a "customized directory" that is authorized or otherwise allowed to modify a directory structure (see Suchter, column 8, lines 14-30). Nowhere does Suchter suggest that the owner or operator of a customized directory is a lister of information in the customized directory. Therefore, applicants' claimed cooperative facility is missing from the teachings of Suchter, and, accordingly, Suchter does not anticipate applicants' independent claims which include this feature.

Furthermore, Suchter does not teach or suggest applicants' "categorization system" that associates "search terms" defining categories or attributes with items to be found. Suchter does not teach the use of search terms. Instead, Suchter teaches a directory structure that is an index of documents in a cache 110 or available over a network 104 (see Suchter, column 5, lines 60-65). Directory 114 may be organized according to a taxonomy of categories that classify electronic documents by subject matter, technical field, etc., but not "search terms."

In the present Office Action, the Examiner cites to Google to define the word, "term" and concludes "term" means "terminology is the set of all the terms related to a given subject field or discipline (i.e. category or subtitle). Applicants take exception with the Examiner's definition that includes the word "term" in the definition of the word "term."

Applicants respectfully submit that Suchter does not teach or suggest applicants' claim 1 feature of a cooperative facility associated with a categorization system that users, including listers and searchers, use to interactively modify or supplement search terms assigned to items to be found by their categorization system. Therefore, applicants' claim 1, as well as claims 8, 30 and 34 (which include similar patentable features) are allowable.

Claims 2-7, 14-15, 17, 19-25, 27 and 32 depend directly or indirectly from claims 1, 8 and 30, respectively, are patentable for the same reasons as well because of the combination of features in those claims with the features set forth in the claim(s) from which they depend.

Claims 29, 31, 33 and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Suchter in view of Chen et al. (“Chen,” U.S. Patent No. 6,728,752). Applicants respectfully traverse this rejection.

Chen is cited for teaching various features of claims 29, 31, 33, and 35. In particular, the Examiner cites to Chen for teaching determining particular result-items a user has historically chosen to visit, teaching an automatic clustering tool responds to a searcher’s data item perusal in a prior session, and for teaching the automatic clustering tool being responsive to a searcher’s reviewing activity over time. The Examiner concludes, therefore, that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the teachings of Suchter with those of Chen to arrive at applicants’ claims 31, 33 and 35. Applicants respectfully disagree.

Chen regards information browsing using multi-modal features. According to Chen, multi-modal clustering is “the grouping of objects that have data from several modalities associated with them” (column 4, lines 21-28). Modalities regard “disparate types of information such as text, image features and usage.” A collection or “corpus” is assembled providing an efficient browse and search functionality. Applicants respectfully submit, however, that Chen does not supply elements of applicants’ claim 30 that are missing from the teachings of Suchter. More particularly, Chen does not teach or suggest applicants’ “automatic clustering tool” that responding to actions by listers and searchers by interactively creating and storing categorization criteria. Therefore, even if one were to combine Suchter and Chen, as the Examiner has done, applicants’ claims 31, 33 and 35 still would not be taught. Therefore, claims 31, 33 and 35 are allowable over the combination of Suchter and Chen.

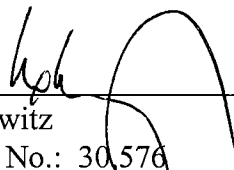
Claim 29 stands rejected because the ability to successfully refine search terms in a manual fashion does not “carry any patentable weight.” Applicants respectfully disagree. Claim 29, currently amended, includes a monitor facility that, in combination with the clustering facility, minimizes the need of the search engine user to successfully refine search terms manually by monitoring particular result items a user has historically chosen to visit. The claim

29 monitoring facility, in combination with the automatic clustering facility, adds further patentable features to applicants' claim 1 and carries patentable weight. Further, the Examiner proposes amending claim 29 to recite "minimizing the number of successful refining by a search engine user in a manual fashion." Applicants respectfully disagree and submit that "successive" refinements (as opposed to "successful" refinements proposed by the Examiner) are minimized by the monitor facility of claim. This patentable feature is not taught or suggested by the combination of Suchter and Chen, and reconsideration is respectfully requested.

For the reasons set forth above, applicants respectfully submit that this application is in condition for allowance, for which action is earnestly solicited.

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY THROUGH  
THE PATENT AND TRADEMARK OFFICE EFS  
FILING SYSTEM ON November 22, 2006.

Respectfully submitted,



---

Max Moskowitz  
Registration No.: 30,576  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700

MM:JJF:ck